

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

EMILY JANE MINNICH-CHOPRA

Plaintiff,

V.

UNITED STATES OF AMERICA, et al.,

Defendants.

CIVIL ACTION

No. 05-2071-CM

ORDER

Plaintiff filed this action on February 22, 2005. On August 29, 2005, this court ordered plaintiff to show cause why the case should not be dismissed for failure to timely serve the summons and complaint upon defendants. Plaintiff responded on September 16, 2005, and the court found that plaintiff had shown good cause for her neglect.

On October 14, 2005, defendants filed their Motion to Dismiss Linda Groth as an Improper Party and Motion to Dismiss Complaint for Lack of Subject Matter Jurisdiction (Doc. 6). Plaintiff failed to timely respond to the motion, and on December 14, 2005, this court ordered plaintiff to show cause in writing by December 21, 2005 why the motion should not be granted as uncontested. The court further ordered plaintiff to respond to the motion by December 28, 2005. Plaintiff has filed no response whatsoever to the court's order.

Plaintiff has repeatedly failed to prosecute this case. The court finds that, pursuant to D. Kan. R. 7.4, it is now appropriate to grant defendants' motion to dismiss as uncontested, for the reasons stated in

defendants' motion.

IT IS THEREFORE ORDERED that defendants' Motion to Dismiss Linda Groth as an Improper Party and Motion to Dismiss Complaint for Lack of Subject Matter Jurisdiction (Doc. 6) is granted as uncontested.

IT IS SO ORDERED.

Dated this 3rd day of January 2006, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge